

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/653,070

REMARKS

Applicant thanks the Examiner for acknowledging acceptance of the drawings.

Claims 1-32 are all the claims pending in the application.

Claims 1-4, 6-9, 15-18, 21-28, and 30-32 stand rejected under 35 U.S.C. §102(b) as being anticipated by USP 5,457,687 to Newman. Claims 5, 10-14, 19-20 and 29 are objected to as being dependent upon a rejected base claim. Applicant respectfully traverses these rejections and objections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

In an Amendment dated February 10, 2004 ("the February 2004 Amendment"), Applicant argued that Newman was an inappropriate reference, because the present application relates to an interconnect circuit in an integrated circuit, but Newman is about reactive congestion control in an asynchronous transfer mode (ATM) network formed by interconnection nodes. Newman has nothing to do with an integrated circuit. In response, the Examiner has argued that neither claim 1 nor claim 26 mentions an integrated circuit.

Applicant has amended claims 1, 15 and 26 to expressly recite the integrated circuit context of the invention. Accordingly, Applicant respectfully resubmits that Newman is an improper reference.

In the February 2004 Amendment, Applicant argued that the Examiner has not addressed the "selectively interrupting and reestablishing" aspects adequately in reading the claims on Newman. The Examiner has argued that, in Newman, each driving circuit along the line has the option of changing the characteristics of the channel selectivity based on congestion, bandwidth,

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/653,070

or network management, referring to column 2, lines 2-8, and column 3, lines 34-40 of Newman.
Applicant respectfully disagrees.

In lines 2-8 of column 2, Newman mentions that functions of a node control of an ATM switch include connection establishment and release, congestion control and bandwidth reservation. However, Newman does not disclose how the congestion control is initiated, how the congestion signal is transmitted, and whether the connection establishment and release is related to the congestion control. For example, as Applicant explained in detail in the February 2004 Amendment, the node 5 shown in Fig. 3 of Newman is involved in the process of congestion control, but all it does is send the congestion signal back to a source. There is nothing in Newman that indicate that the node described in the cited part of Newman responds to congestion signals to selectively interrupt and reestablish data transmission, as the claims of the present application recite.

Applicant has noted that the Examiner's citation of column 3, lines 34-40 of Newman is incorrect. The part cited by the Examiner actually appears at lines 22-26 of column 5 of Newman. In any event, neither this portion, nor column 3, lines 34-40, does any more to address this claim limitation.

Given the failure of Newman to disclose selective interruption and reestablishment of data transmission in response to congestion signals, Applicant submits that the only way that the Examiner can conclude that each driving circuit of Newman has the option of changing the characteristics of channel selectivity based on congestion is hindsight reconstruction, based on the teachings of the present application.

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/653,070

As Applicant pointed out in the February 2004 Amendment, in Newman, it is the source unit of a virtual channel, not the nodes, that reduces and restores the transmission rate for that virtual channel, in response to congestion signals from the nodes. However, claim 1 of the present application recites *a data line* that selectively interrupts and reestablishes transmission of data signals at *selected portions* of the data line, claim 15 recites a data line comprising a plurality of *data driving circuits* selectively interrupting and reestablishing transmission of data signals; and claim 26 recites selectively interrupting and reestablishing transmission of data signals *at a plurality of data driving circuits*. Newman fails to teach or reasonably suggest such structure and/or function. Thus, Applicant respectfully resubmits that claims 1, 15 and 26 and their dependent claims 2-14, 16-25, and 27-32 are patentable.

In addition, in Newman, when the source unit changes the control rate for a virtual channel, the transmission rate on the whole channel, from the source to the destination, is changed. However, according to claim 1 of the present application, only data signals at *selected portions* of the data line are selectively interrupted. Accordingly, Applicant resubmits that claim 1 and its dependent claims 2-14 are patentable for this additional reason as well.

In the February 2004 Amendment, Applicant explained in detail, citing various parts of Newman, that a node in Newman only sends the congestion signal back to a source, and does not selectively interrupt and reestablish data transmission in response to congestion signals. The Examiner has repeated the rejections without responding to Applicant's arguments. Applicant asks the Examiner to respond.

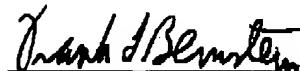
PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/653,070

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Frank L. Bernstein
Registration No. 31,484

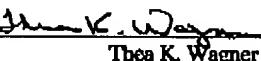
SUGHRUE MION, PLLC
Telephone: (650) 625-8100
Facsimile: (650) 625-8110

MOUNTAIN VIEW OFFICE
23493
CUSTOMER NUMBER

Date: August 5, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT UNDER 37 C.F.R. § 1.116 is being facsimile transmitted to the U.S. Patent and Trademark Office this 5th day of August, 2004.


Thea K. Wagner